

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL V. LUJAN,

Plaintiff

v.

CHARLES DANIELS, *et al.*,

Defendants

Case No. 2:21-cv-01623-JAD-DJA

ORDER

I. DISCUSSION

On September 3, 2021, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* ("IFP application") or pay the full \$402 filing fee for a civil action on or before November 2, 2021. (ECF No. 3 at 2). On September 27, 2021, Plaintiff filed an incomplete IFP application that did not contain a fully signed Financial Certificate (signed by both Plaintiff and prison officials on page 4 of this Court's application) or an inmate account statement for the previous six-month period. (ECF No. 4). Because it appears that an extension of the initial deadline and another court order are meaningful alternatives to dismissal here, the Court will grant Plaintiff **one final opportunity** to submit a fully signed Financial Certificate (page 4 of this Court's application) and an inmate account statement for the previous six-month period to the Court on or before **February 18, 2022**. See *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (providing that "district court need not exhaust every sanction short of dismissal before finally dismissing a case, but must explore possible and meaningful alternatives").

II. CONCLUSION

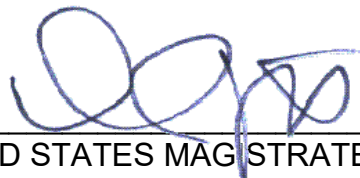
For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send Plaintiff the approved IFP application by an inmate, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that on or before **February 18, 2022**, Plaintiff shall

1 either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct
2 form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2)
3 pay the full \$402 fee for filing a civil action (which includes the \$350 filing fee and the \$52
4 administrative fee).

5 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,
6 this case will be subject to dismissal without prejudice for Plaintiff to refile the case with
7 the Court, under a new case number, when Plaintiff is able to submit a fully complete IFP
8 application or pay the full \$402 filing fee for a civil action.

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10 DATED: January 19, 2022

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13 UNITED STATES MAGISTRATE JUDGE
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